# NEW YORK HERALD.

JAMES GORDON BENNETT,
PROPRIETOR AND EDITOR.

OFFICE, N. W. CORNER OF FULTON AND NASSAU STS.

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AMUSEMENTS TO-MORROW EVENING.

BOWERY THEATRE, Bowery.—KING HENRY THE FOURTH—THE MYSTERIES OF PARIS.

BROADWAY THEATRE, Broadway—LADY OF LYONS—TYKE OUT.

BURTON'S THEATRE, Chambers Street—MY PRECIOUS DIETY—WRECK ASHORE.

NATIONAL THEATRE, Chatham Square—IN AND OUT OF PLACE—IRELAND AS IT IS—THE LIMERICK BOY.

THEATRE, Astor Place.—DUKE'S WAGER—NAVAL ENGAGEMENTS.

CHRISTY'S OPERA HOUSE, Mechanics' Hall—ETHIOPIAN MINSTRELS.

OLYMPIC.—PIERCE'S MINSTRELS.

MELODEON.—WHITE'S SERENADERS.

CIRCUS, Astor Place—FRENCH COMPANY.

**New York, Sunday, April 28, 1850.**

### Notice to the Public.

Those who intend to change their residence on the 1st of May will please notify us of the fact, stating the place where the paper is now left, and also that at which it is to be hereafter served.

### The European News.

The Cambria had not arrived at Halifax yesterday afternoon. She is now in her fifteenth day, and, of course, considerably overdue. Before she arrives at this port, the City of Glasgow and Canada will be due, with a week later intelligence.

### Sailing of the Steamship Atlantic.

This glorious ship sailed yesterday from the foot of Canal street, for Liverpool, a few minutes after 12 o'clock, amidst the cheers of many thousands of spectators. She was an object of admiration to all who saw her. Her model, as she wound through the waters, was as graceful as a swan, notwithstanding her leviathan proportions. At her bows scarcely was a ripple perceptible. She is, as the French say, *un fait accompli*—a great feat. The Atlantic had a full cargo, and more than 125 first class passengers.

### The Code and the Courts.

The community are very much interested in knowing what is the effect of the "code of procedure in civil causes," by which the practice is now regulated. It was originally prepared, as we all know, by Messrs. Graham, Field and Loomis, commissioners appointed in pursuance of a constitutional direction that the practice should be revised, simplified and abridged. It had long been alleged that the forms and technicalities in pleading and practice had occasioned delay, expense and uncertainty, in the administration of justice; that the suitor, instead of having the merits of his case decided, was often entrapped in the meshes of legal subtlety, and that heavy bills of costs accumulated, not in ascertaining the right, but in adjusting the remedy. Jurors were often surprised when a nonsuit was granted, though the plaintiff had the legal and moral right to recover, because the form of the action had been mistaken; because he had sued in "trespass" instead of "case," or "covenant" instead of "assumpsit."

The public often discovered that a case was summarily ejected from a court of law, because it appropriately belonged to chancery jurisdiction, and *vice versa*. To effect reform by which such snares and pitfalls might no longer endanger the path to justice, was the great object which the commissioners were expected to keep in view, and which the public hoped to see effected. Instead, however, of reforming the existing system, Messrs. Graham, Field and Loomis determined to abolish it entirely, and substitute one which they declared would prove more simple, cheap and efficacious. How far their effort has been successful, is the great question now undergoing practical test.

One great change which they introduced was the union of law and equity jurisdictions in the same tribunal.

This relieved practitioners from the responsible duty of selecting at the commencement of an action the appropriate forum, and in this respect the client became protected against the lawyer's mistake; but in other respects, the practical effect of thus making a suit easy in the beginning, is to render it very difficult in its progress. The plaintiff states a case, which under the old system would have been an action at law, and yet by the answer, or reply, it may be converted into a hybrid, partly legal and partly equitable. Instead of there being one or two issues of fact, there often arise several, and when the cause comes on to be tried, the jury, instead of finding simply for the plaintiff or defendant, are frequently compelled to pass upon distinct questions, so that afterwards, in view of their finding, the court may render such judgment as that finding warrants. To avoid the danger of submitting cases of this kind to the jury, they are usually either sent to a referee or tried by the judge without a jury, by which means the old chancery system is in effect restored, and that dreadful "one man power," which the legal reformers so furiously assailed, is substantially reinstated. It cannot be denied that in this particular the radical change in blending two jurisdictions, entirely distinct in their nature, has proved embarrassing rather than useful; and the lawyers say, when they prepare for the trial of a cause, they are often puzzled to know whether it will prove to be one for damages or one in which the Court may direct the performance of some act other than the payment of money, as in the case of a suit to compel the seller of real estate to give a deed. The relief asked may be the "specific performance" of the agreement, and yet the judge, even at the trial, may permit the "prayer" for relief to be so amended as to enable the plaintiff to obtain pecuniary compensation.

Of course, this union of jurisdictions required that the old forms of pleading should be abrogated. In courts of equity there never was any form of action known by a particular name. In courts of law each action belonged to a class designated generically. The codifiers said no action should any longer enjoy the benefit of legal nomenclature, that no Latin should make classic the squabbles of Doe and Roe, and that the parties should respectively state their cause of action or defence, without the necessity of observing any precise form, and in language adapted to "an ordinary understanding." The result of this is, that the pleadings, as a general rule, are much more prolix than formerly, and in seeking to find out what the issues are, the Court have frequently to wade through masses of inelegant matter, often unassisted by the gentlemen who prepared the paper. In truth, a system of special pleading has been introduced, in which the skilful lawyer has the same opportunity as before to entrap his less learned or less wary opponent, and we hear at *Nisi Prius* constantly the same objections to proof, as not applicable to the pleadings, and to variances between the pleadings and proofs, which in former times tested so frequently the ingenuity of the Bar, and the patience as well as learning of the Courts. A case was tried, not long since, in the Superior Court—an action for malicious prosecution, in which there were four or five defendants, and the pleadings were about sixty folios. Under the old system they would not have amounted to ten. It is fair to say that the labors of the Bench and Bar are increased under the new system, without any improvement to the cause of justice. The privilege to each party of enabling him to state his case for the common understanding, often leads him into rambling and impertinent averments, by which immaterial issues are presented, and unless such passages are stricken out on motion, the Court, at the trial, have much time and labor to employ in selecting from the papers before them the questions important to be determined.

Besides, the codifiers thought proper to allow great liberty of amendment in pleadings. As a general rule, trivial errors should not be noticed by the Courts, but the code invests the judges with discretion so large, that the aspect of a case may, at the trial, be materially changed from that which was presented by the pleadings; and although provision is made to prevent a party being thus taken by surprise, yet it must be conceded that, after the testimony in a case has been closed, under one set of pleadings, the Court should not permit such amendments as actually present new issues, and actually change the nature of the case, of the trial, and of the judgment.

It is now perceived that established forms of procedure, and of pleading, are essential to securing the logical and satisfactory disposition of actions, and that if the codifiers were right in allowing a familiar way of stating a case, they should have been somewhat more strict in requiring the party to prove it substantially, as it is stated. We shall return to this subject.

EXTRAORDINARY CRIMINAL TRIAL IN BROOKLYN—LETTER FROM J. ARLINGTON BENNET.—The interest growing out of the trial of One-Eyed Thompson increases as the evidence becomes developed. The report of the third day's proceedings, which will be found elsewhere in our columns, in connection with the previous proceedings, will furnish interesting reading matter, and produce some sensation among all those who take an interest in the criminal drama and criminal literature of this metropolis, and its younger sister on the other side of the East River.

In addition to the evidence elicited yesterday, we give a letter written to us by James Arlington Bennet, one of the witnesses against Thompson. This letter is quite a curious document, particularly in reference to the charges of unfairness brought by J. A. Bennet against our reporters. In reference to these charges, we have only a few remarks to make. Two of our best reporters have been engaged, by turns, in taking notes of Thompson's trial, and the one in particular alluded to by J. A. Bennet, we always have believed—and believe so still—to be a man of strict truth, honor, impartiality, and capacity. When we sent him to attend the trial of One-Eyed Thompson, we gave him strict injunctions to give a full, fair, impartial, and candid report, as far as it went, and during his turn, without reference to any of the prejudices of the day that might be entertained either for or against the person tried, or of any one connected with him. We have no doubt that our reporter endeavored faithfully to comply with these injunctions, and we are equally satisfied that the imputations which J. A. Bennet casts against him, of incompetency and dishonesty, are unfounded, unjust, and untrue. In the hurry and bustle of the trial, he may have omitted certain answers which J. A. Bennet deems important. We also think he committed an error in making any comment on Bennet's evidence, or the manner and way he acted; for this was entirely in opposition to our strict injunction, which was to be fair to all the parties implicated in this trial, either directly or indirectly.

While giving this explanation, and justifying the intentions and integrity of our reporters, we cannot omit stating that the difficulties of reporters and journalists, in satisfying all parties in these extraordinary criminal dramas, recently set on foot and brought forward by Policeman A. M. C. Smith, G. Wilkes, and Marcus Tullius Cicero Stanley, are increased and increasing, and sometimes perfectly laughable. We know nothing of the persons, and never have seen any of the parties, in these dramas; and yet we understand that first the Drurys, secondly Wilkes & Co., thirdly Ashley & Co., and now J. A. Bennet, with the rest of them, are out in open arms, denouncing the reports in the *Herald*, and the course the *Herald* has pursued in this most extraordinary affair. Many of these distinguished gentlemen and philosophers are engaged in one of the most extraordinary dramatic and criminal contests before our courts, and their feelings and long noses are so keen and lively that they smell corruption and injustice in every wind and in every breath, when nothing but fairness is done. The Drurys threaten to bring actions of libel against the *Herald;* Wilkes & Co. do the same; and we suppose One-Eyed Thompson, Margaret O'Connor, and J. A. Bennet, *et id omnes genus*, will soon be in the field with similar movements.

What shall we do at the prospect of such a combination of materials against our industrious and hard working reporters and editors? It is only laughable and ridiculous, and shows to the community that the course which we have pursued is very nearly the most upright and correct course; and none other would do. The great stool-pigeon combatants—the Montagues and Capulets of the Tombs—may fight against themselves as much as they please; but we tell them, and also their friends, that we know our rights and duties, and that neither Drury, nor Wilkes, nor Arlington Bennet, nor Marcus Tullius Cicero Stanley, nor one nor all, will deter us from pursuing a fair and impartial course to the ends of public justice, and to the *denouement* of this extraordinary drama. Go ahead.

CUBA AND HER DESTINY.—Accounts recently received from Europe state that the Court of Madrid have given instructions to one of their agents, Count Misarol, to make a thorough investigation into the island of Cuba, to ascertain the political sentiments of the inhabitants, and that if he found there was no probability of Spain being able to hold that island for any considerable time, he was authorized to enter into negotiation with the government at Washington for its transfer to the United States, for a reasonable price. The agent, it is said, has proceeded to Cuba, for the purpose of fulfilling his mission.

About a year ago, perhaps longer, we impressed upon His Excellency M. Calderon de la Barca, the Spanish minister at Washington, the propriety of some such step as this, and requested him to communicate the same to his government. We were then, as we are now, perfectly satisfied, that the days of Spain's dominion over Cuba were numbered, and that sooner or later, in the natural course of things, that island would become part and parcel of the United States, by either annexation peacefully, or by negotiation, or by revolution, and annexation afterwards. We believe that his Excellency took the same view of the subject, for he could not but have known as well as we did, that such a result was inevitable, sooner or later, and as certain of being fulfilled as that the sun will rise to-morrow as usual in the East, and set again in the West. Calderon de la Barca is a man of great good sense and intellectual power; he is a skilful diplomatist, and a person of accurate observation. He is well acquainted with matters in the United States, and thoroughly conversant with the tone and course of public opinion here, especially on the subject of the island of Cuba. If he has proposed, as we recommended, to the Court of Madrid, he has acted the part of a wise man, and the truth will be manifested before a very long time.

It is therefore not unreasonable to expect that some proposition, emanating from the Spanish government, will ere long reach Washington, in which the cession of the island of Cuba to the United States will be offered for a fair consideration. Such a proposition ought to be favorably entertained by the government at Washington. The consideration or price is nothing in the scale, no matter how large it might be. The people of Cuba themselves would make it up, were it a hundred or a hundred and fifty millions of dollars. The advance in the value of property that would ensue would be sufficient to induce them to do so, apart from being released of the thirty millions of dollars per annum which the Spanish government extracts from them, without giving them any privileges in return. Cuba, once a State of this confederacy, would jump into a new existence. The people, being relieved of despotism, would put forth their energies, and in a short time make it what nature designed it should be—one of the happiest, most prosperous, and most wealthy countries in the world. Such a state of things as the cession of Cuba to this country is no doubt seriously entertained by the Spanish ministry.

THEATRICAL TALENT—NEW STARS IN THE HORIZON.—The public are called upon, almost every day, to admire the brilliant display of some new and ambitious aspirant for their applause. The time and attention of editors and critics are solicited, of course, at every exhibition; and sometimes they are rewarded for the trouble they take, by charges of neglect and coldness, when, in fact, they are usually as lenient and indulgent as any reasonable person could expect. Indeed, the press are often censured for speaking too generously—of praising too highly—and of giving more brilliant accounts of the efforts of these new aspirants, than are justified by the talent displayed. Always ready to encourage and be foremost in detecting genius, they not unfrequently mistake the sign for the substance, and see "the future in the instant." The whole of this system is wrong—decidedly and emphatically wrong. It is injurious to the character of the press, so far as taste, judgment, and consistency are concerned, and very detrimental to the youthful talent courting public favor.

It is the observation of experience, and the confirmation of all history, that genius, in any sphere of life, political, scientific, artistical, or dramatic, never leaps to any exalted eminence at a single bound. In the drama, let us take any of the great names of the last fifty years, and we shall find that they have been made famous, not by any sudden growth of a single night, but by the patient toil of years, incessant labor, great self-denial, and close study, such as the hardest working mechanic in society does not undergo. Such a course of trial and experience has made Pasta, Malibran, Taglioni, the elder and the younger Kean, Forrest, Charlotte Cushman, Stefanoni, Fanny Kemble, Rachel, Jenny Lind, Grisi, and others. Such severe training is the only path to success—that success which may be said to crown the labor. Knowing this, it is sometimes very painful to be expected to endorse the kind opinions of distant presses, on those who visit the city to challenge criticism, and who boldly aspire to rival the most distinguished artists. Much as we may admire the necessarily crude elements which are frequently offered as finished creations of skill and art, we are forced to regret that sanguine friends and confident ambition should place talent in a position where it must suffer, and only prove a truth made old by all the experience of the race.

It is seldom that we behold any of these aspirants, that we do not have cause to regret their deficiency; and, though it is not always in our power to point these out within our narrow limits, yet the casual notices of such performances are marked with very deep meaning, if those for whose good they are intended, would but heed them. It is in the belief that the evil will correct itself—that those who are slowly toiling towards fame, and who are often worked unmercifully to give *éclat* to such stars, will demand a reasonable time to sustain their own reputation, often hurt by rapid study, that we do not lend our influence to break up the system. It is false, hollow, and deceptive; and so well assured are we of this, that it is only in the spirit of kindness, that we call attention to the injury which the friends of Miss Julia Dean, Miss Kimberly, and other aspirants, are inflicting at the present time, upon such promising talent. Miss Julia Dean is young and full of enthusiasm, with too little strength to undertake the severe labor imposed upon her, and would, by judicious cultivation, arise to a very high rank as an actress. Yet she is hurried, by her ambitious friends, into a position, for which she cannot hope to be qualified for several years to come. Time, study, observation, with patient endurance, are the essential requisites to give her the true rank to which she aspires. A course of regular study in this city, where her talents could be judiciously exerted, would be profitable to her in every way—but the adoption of the starring system for her guidance, will only confirm the faults which now mark her personations. Miss Kimberly, a lady of similar talent, would profit much by strict cultivation. It cannot be expected, that, with little experience, she can rival Fanny Kemble, whose ground she ambitiously occupies. Great as may be her talent—skilfully as she may read the plays of Shakspeare, there are deficiencies so obvious and glaring, that any great success on her part, could it be accomplished, would only impugn the taste of the public. It is impossible to create fame by mere publicity. There is something more substantial in it. It has a better foundation.

Having said thus much—and our remarks will apply to many, and nearly all, who rank themselves as stars in the theatrical firmament—we should say, also, that our whole theatrical system demands a speedy change. Managers must rely for success upon the best materials they can obtain, to present novelties in which the literature of the stage shall keep pace with the age and the demands of the time. Failure, almost invariably, may be predicted of any one who departs from a strict plan of operation, to put a star into his galaxy of talent, by which every other luminary is made to appear with the eccentricity of a comet or a meteor, flying about in the most confused manner. Nothing depreciates a good company, or any company, so much as one of these stars. Nothing goes right—all is wrong. Shakspeare is murdered—the English language is butchered. Lines are studied, and the personation of character is left to the chance of the hour. Reform it altogether.

In the musical world a similar spirit of rash adventure, on the part of very tolerable musicians and vocalists, inflicts upon the community a vast amount of talent not fully matured. Thus, scarcely a day passes, that a grand concert is not announced, to introduce some new Malibran or Paganini; and when friends have exhausted their sanguine admiration, and the public have generously encouraged by their presence such persons, it is found that the result has not justified the hopes and anticipations. An error of this kind has just occurred, in the introduction of Mr. Paul Roultz. A very good violinist, and possessed of unquestionable talent, had he been brought forward as a competitor with our own violinists, a fair share of success might have been expected. As it is, the comparisons with Paganini, which preceded this gentleman's appearance, have placed him in a very unhappy position—have reacted against him, as they invariably do in all such cases, whether in the arena of politics, oratory, the drama, music or poetry. It is the slow growth that makes the oak. Unnatural and artificial heat may force trees into an apparently flourishing condition, but they will soon perish. Let this be remembered. Mr. Roultz may have appeared under disadvantages—his violin may have been out of order, or the humidity of the atmosphere, or some other cause may have injured the effects which he intended to produce, yet, if these considerations supply any just deprecation of criticism, there are many faults in his style which need correction.

M. C.—We tender our thanks to the Hon. George Briggs, for valuable public documents, and his constituents will be pleased to hear that he intends to keep a vigilant eye upon the branch mint.

THE ANTI-RENT TRIALS.—By our faithful reports, which the socialist *Tribune* has represented as inaccurate and garbled, it has appeared that the decision, thus far made, is in favor of the defendant—Harmon Livingston—and that the silly socialist views of the question have had but little effect. We feel assured that the result of this trial, between the State and Livingston, will be such as will give satisfaction to every sensible man. To-morrow another case will be commenced. This Hardenbrock trial will be another instance of practical sound sense, triumphing over the insane and insincere ideas of a knot of political jackals, who mean nothing but mischief. The people desire justice, and not rapine.

THE ITALIAN OPERA AND FASHION.—"Macbeth" was repeated on Friday night, to a smaller assemblage than on the first occasion of its representation, though the house was very fashionably attended. The performance confirmed our first opinions as to the character of the whole composition of this splendid opera; and, though the illness of Signor Lorini deprived the audience of his beautiful solo, the performance, in other respects, was complete and highly acceptable. Signora A. Bosia sang the music of Lady Macbeth with great skill and effect, and her acting was of a high order, our notions of the character not demanding the vulgar idea of a towering stature, or a masculine voice. Signor Badiali's Macbeth was an even and powerful performance, well sustained throughout, and loudly applauded—as it merited to be. The chorus were less attentive than at the first performance, but acquitted themselves, generally, in an excellent manner—giving great force to the whole effect. The orchestra, also, merited high praise for their skill.

It is intimated that at an early day the entire *troupe* will be brought forward at a concert, at the Tabernacle, when the public will be satisfied that a musical treat will be presented, which can seldom be found in any city of Europe. The company is much larger than those of the opera houses of London or Paris, and, combined in one performance, we may anticipate the highest pleasure from their joint efforts.

This *troupe* is under the management of Signor Marty, of Havana, whose place is admirably supplied here by his son-in-law, Signor A. Pader, an accomplished gentleman, skilled in the modern languages and in all that appertains to the beautiful art of music. The experiment, under his auspices, has shown that a first-rate opera company can be supported in this country; and we have no doubt that the same kind of an arrangement for success, and for a great opera, can be carried out between New York and Havana, as has been existing for many years between London and Paris. This is the only annexation between the United States and Cuba that we can advocate, at present. It will answer every purpose, and give us more music than the drum and fife, and the deep bass of explosive cannon. Could Signor Marty and his son-in-law, Signor Pader, call General Maretzek to their councils, and give him a baton for the winter campaign, the annexation would give the most complete satisfaction. A levy can be made of about two dollars for each representation, upon some hundreds of our citizens, which would go far towards carrying on the war. A proper disposition of the forces in Philadelphia and Boston would do, at certain seasons, to aid the cause; and this continent, in a short time, would be the theatre of action for hundreds, now in the course of their education in Italy, who will be panting for glory and golden eagles. Besides, veterans in the service could be obtained, for with our California gold and new line of steamships, we can transplant, with profit, the most renowned and triumphant of those who have battled for fame on the old continent. Why should we not have Alboni, Viardôt, Grisi, Lablache, Ronconi, Mario, and a host of others, in New York? We have the gold—we have the steam. Let the annexation, then, go on in this musical, artistical style. We have all the elements for beating London and Paris in every respect; and the day is not distant when the New York and Havana opera will be the summit to which all great vocalists and musicians will aspire. With Marty, Pader, and Maretzek combined, we can win the field. We have the gold and steam. Let us have the enterprise.

To-morrow night a brilliant array of talent, exercised upon delicious music, will call together all the taste and fashion of the metropolis—for there is a great anxiety to enjoy the few remaining performances, before the departure of the *troupe* for a sister city.

### Marine Affairs.

STEAMSHIP PHILADELPHIA.—The passengers of the steamship Philadelphia, on her last voyage to Chagres and back, have presented Capt. Pearson with numerous testimonials, expressive of their feelings, in admiration of the superior sailing qualities of the noble steamship under his command, and for the kind and gentlemanly treatment which they received while on board. We give the following:—

ON BOARD STEAMER PHILADELPHIA, Caribbean Sea, April 5, 1850.

We, the undersigned passengers on board of the steamer Philadelphia, bound from New York to Chagres, take this method of expressing our thanks and approbation to Captain Robert H. Pearson, and William Bixby, Chief Engineer, for their able and seaman-like conduct, during the perilous day and night of the 31st ult., at which time it blew a terrific equinoctial gale.

Also, to Captain Robert H. Pearson, for his humane and gentlemanly deportment to his passengers.

We cheerfully recommend him and his staunch steamer to the public.

J. B. Connor, John A. Shaw, John I. Verdebaugh Jr., Levi Dyer, D. Danforth, John Wheelright, Edward Rolfe, George Heinck, R. R. Bennett, James H. Frose, Sylvens S. Crary, L. C. Marsh, N. Ripley, Anson A. Voorhies, S. M. Hawley, Wm. G. Hance, John Houston, J. F. Backes, Jos. M. Hunt, William Hale, A. D. Weed, A. C. Keyt, H. D. Frederick, S. O. Palmer, A. W. Brownell, William S. Cowan, Spencer B. Alden, J. T. Scott, Richard Savage, Wm. Abbott, Jerome Whitman, Alphens C. Beckwith, J. R. Niven, R. P. Hedges, A. W. Hall, C. D. Ross, H. F. Hill, A. M. Keyt, Asa D. Steers, D. W. C. Dimock, J. M. Woollen, John O'Brien, Charles R. Wilkes, Thomas Bapheldor, W. W. Palmer, Eben Campbell, R. E. Dimock, Geo. Thornton, John McKean, Frederick A. Kaman, R. B. Stearns, Lewis Moser, Jacob Schall, Francis Kirk, Jacob G. Pierce, Alex. Ely, J. G. Gray, Allan Campbell, Alfred A. Rhoades, Benjamin Adams, George F. Noyes, Ogden Hoffman, Jr., R. S. Wilkins, G. W. Reed, James Crawford, Thomas Buckley, John M. Eddy, Samuel Hevner, James P. Godfrey, Joseph W. Clark, T. J. Carey Jr., J. Ford, Peter Folsen, Alfred Swein, Wm. B. Goodyear, Wm. H. Vining, S. Roisington, J. Kirby, C. Palmer, M. J. Loos, Ira Doane, John Rear, Wm. B. Owens, Machin Brenan, Julius Humphreys, A. Fisher, Elias S. Gaylor, J. Sree, P. D. Parsons, John L. Lamb, B. C. Harman, Potomer, John L. Martin, Andrew Brown, George Fogg, Augustine Whitney, Samuel Hunter, Alpha Matteson, William Flint, P. Taft, Lyman W. Scott, George Wittum, Richard Twombly, John Roberts, Samuel Rosser, M. Franklin, Geo. T. Billinger, William C. Hance, Ephraim Moulton, Alfred Raphall, George Koch Kartelio.

STEAMSHIP PHILADELPHIA, Off Sandy Hook, April 26th, 1850.

TO CAPTAIN PEARSON:—

DEAR SIR:—We, the passengers of the steamship Philadelphia, before parting with you, wish to express our entire satisfaction with yourself and officers. We feel greatly pleased with the accommodations and fare of your excellent vessel.

Those amongst us who were witnesses of the extreme exertions of yourself and engineer, and his assistants, in so quickly repairing the effects of the gale, which overtook you in your passage out to Chagres, cannot help stating our admiration of your united energy and skill under such adverse circumstances.

We confidently recommend our friends and the public in general, whose business may lead them to travel to Chagres, or thence to New York, to avail themselves of the accommodations of your noble vessel, under the control of so kind and gentlemanly a commander.

With united best wishes for your future welfare and prosperity, we remain, dear sir, your sincere well-wishers.

J. Crocker, Thomas Lyle, John W. Borland, George W. Craven, A. A. Reeves, Wm. M. Wood, Daniel Slopen, G. W. Lewis, N. J. Terrass, H. Learned, Stephen Minot, for self, wife and three children.

STEAMSHIP CRESCENT CITY.—The annexed card was presented to Captain Stoddard, by his passengers, on the last voyage of the Crescent City to Chagres. It speaks for itself:—

RESPECTED SIR:—The undersigned, in testimony of their regard, beg leave to present you a piece of service, which will be handed you at some future day, by your purser, Edward S. Folger. They present it to you, Captain, not only as a memorial faintly expressive of the high esteem which they entertain for your nautical experience and skill, but, far above that, as a token of regard for the manly and humane qualities of your heart. Our stay with you has been brief—too brief to satisfy our wishes, and yet sufficiently long to make us know and feel the worth of a noble and humane man. We may never meet again, and still, if we do not, the memory of you will ever be green and fresh in our hearts; and, in return, we humbly ask that whenever your eye shall rest upon this piece of service, that you will give one thought to the memory of those whose names are thereon inscribed.

Truly your obedient servants,

W. Porter, W. G. Wood, J. J. Wright, George K. Platt, S. A. Thayer, George W. Bushell, James Gorge, John O'Neil, R. C. Wane, William Turnbull, Walter C. Sherwood, George S. Wright, Enoch Conklin, W. Mason, Thomas Ross, Edward Fuller, M. Wedgius, Pudaskt Jacks.

To Captain CHARLES STODDARD, of steamship Crescent City, bound from New York to Chagres, April 11, 1850.

At a meeting of the company on board the steamer Confidence, on a trial trip, previous to her departure for California, Capt. Wm. E. Hoxie, chairman, and Capt. Wm. C. Berry, Secretary, it was unanimously—

Resolved, That the owner, Thomas Hunt, Esq., has made the boat perfectly strong and sea-worthy, and that we all feel satisfied that she can encounter the roughest weather, and make the voyage in as short a time as any steamer of her class, which has left this port.

Resolved, That in the selection of Capt. John P. Gannet, as commander, he has an officer of tried abilities as a sailor, and a gentleman in every sense of the word; and, that we consider it due to Mr. Hunt (he not being on board,) that these resolutions should be published.

(Signed) Capt. Wm. E. Hoxie, chairman; Capt. Wm. C. Berry, secretary; Capt. Thos. Ingersoll, Capt. Edward Cornell, Capt. Thos. Williams, Capt. Asa A. Corning; Capt. John Turnure, W. H. Fowler, Dr. Henry Burtnett, Henry Calhoun, J. M. Staples, P. C. Russell, W. H. King, J. S. Fordham, Benj. C. Bowen, C. Hadden, R. S. Osborne, W. B. Fellgh, H. A. Keat, R. B. Hanford, M. F. Hewit, Peter McMillan; W. G. Hunt, Henry Hannah, C. A. Gray, J. V. Bergen, Chas. Blake, Wm. M. Richards.

STEAMER GOLIAH.—Extract from a letter received from Benj. F. Wyman, clerk of the steamer Goliah, to his father:—

STEAMER GOLIAH, April 19.

DEAR FATHER—Here we are, Cape Hatteras bearing S. W., distant forty-five miles, and are running off finely. It is just thirty-nine hours since we left you. The Goliah has even exceeded our expectations, and we doubt not she will make a good report of herself. This morning we are running off finely, with a smooth sea and little wind, and with a continuance of it, expect to cross the Gulf to-morrow. Tell Mr. Furman that the Goliah is all right, and has proved herself far superior to our anticipations. Officers and hands are a fine set, and all in good spirits.

**Upwards of 20,000 shad are said to have been taken in one day, this week, by the fishermen in Newark Bay, New Jersey.**

### The Sailing of the Steamships Atlantic and Ohio.

At a few minutes past 12 o'clock, the United States mail steamship Atlantic, Captain West—the first of Mr. E. K. Collins' line of steamers between this port and Liverpool—left her dock, at the foot of Canal street, amidst the enthusiastic acclamations of the thousands who covered the pier, and the surrounding piers and shipping. She sailed with 137 passengers, and some cargo. She was in beautiful sailing trim, drawing 19 feet 6 inches of water by the stern, and scarcely so much at the bows. Long before the time of her departure, the quays were filled with spectators, and many pressed forward to get a clear view of her; but a gate had been erected on the pier, and no person was allowed to pass without a ticket, unless accompanying some passenger. Even thus, the pier was crammed. As she moved slowly out into the stream, stern foremost, loud and vehement cheers arose, both from the docks and those on board, and a gun announced that she was in motion towards that ocean from which she is named. She backed down considerably below Canal street, and was delayed for a short time by a sailing vessel ahead. When all was clear before her, she reversed; but the way was so great, that it was some minutes before she was completely stopped and going ahead. But after she got her way on, she moved majestically down the bay, as glorious an object as ever walked the waters. When she got opposite the Battery, she fired another gun, and she was answered by three discharges of a new brass sixpounder, from the foot of Beach street, just made in Coffee's foundry, Edgar Walsh, the Tammany Hall poet, applying the match. She cut the water so beautifully that scarce a ripple could be seen at her bows. There was an immense number of spectators assembled on the Battery, who gazed upon her till they lost sight of her in the fog at Staten Island. The fog began when she reached Robin's Reef, and when she got abreast of the lower quarantine, she came to an anchor till a few minutes before four o'clock, when the sky cleared, and she weighed anchor. But before this was accomplished, the Ohio, Captain Schenck, passed her, and was a mile and a half, as far as could be estimated, ahead, before the Atlantic got on her way. In ten miles sailing, she pulled up this distance and passed the Ohio, which fired a lee gun, in admission of the superior speed of the Atlantic.

We should mention that the Ohio sailed punctually at her appointed hour, three o'clock, from the foot of Warren street. The dock, and all the docks and steamboats around, were alive with human beings. In fact, we never saw so many at any former sailing of this steamboat, which was partly owing to the day, and partly to the great number of passengers, which exceeded 450. The deck and shrouds, and bowsprit, were literally covered with them. Among them was Tom Hyer, who was attended by a large number of the "fancy" and other friends. His wife was with him.—There was every variety of people on board—clergymen and pugilists, merchants and mechanics, saints and Five Point thieves, the latter, no doubt, intending to finger some of "the dust" as it crosses the Isthmus. There were some runaway debtors stopped by the sheriff, and made to disgorge, and some that laughed him to scorn. One fellew, when the ship had just got beyond jumping distance from the dock, put his finger to his nose with a most knowing laugh, significant of having done the sheriff brown. He also addressed him jeeringly in reference to a young man beside him, who was to identify the voyager. Another very laughable scene occurred just at this moment—three men came rushing down in breathless haste, each with a rifle and a carpet bag, and a white California hat on, crying out as they struggled through the crowd, "Stop that 'ere steamer!" The roars of laughter and the cheering that followed this demand, may be imagined. When they got to the dock, and saw she was fairly gone, there was another laugh from the multitude at their wo-begone faces, and outcries of "get out a small boat." After bustling about for some time, one of them did get a small boat, the other two giving it up as a hopeless case. The merriment of the crowd knew no bounds, when they saw the California passenger in the little boat, and the Ohio in the middle of the stream, just getting on her first way. The three late men were left behind. It was quite evident from the number of passengers, that the Ohio is a great favorite, being regarded, as she is, a safe, easy, and rapid steamer. In addition to those entered on the books at the office, a number of persons got on board at the last minute, unprovided with tickets, intending to pay for their passage on the way. Her destination is New Orleans, calling off Charleston and Savannah, to land and receive passengers and the government mails. From thence she will proceed to Havana, where her passengers and mails will be transferred to the steamer Falcon, Captain Hartsteine, and proceed to Chagres, arriving in time for the California steamer, which leaves Panama on the 15th of next month.

A party, consisting of about fifty, together with ten wagons, cooking apparatus, and all the necessary equipage for a three months' voyage, bound for the land of golden promise, are among the passengers for New Orleans, from whence they will proceed overland, via Texas, Mexico, &c.

The Ohio is in fine order, and ample arrangements have been made for the accommodation of all. Her machinery is perfect, having already made twelve trips to New Orleans and back, and two to Chagres—a distance of upwards of 30,000 miles—without ever having sustained the least injury, or without having the first cent expended in repairing, or any alteration of her machinery. Like the Georgia, she has been tried in every sort of weather, and proved to be a ship that can be relied upon. She has not got her copper on yet, which makes a considerable difference in sailing. If the Georgia, which is coppered, had been in her stead yesterday, it would have been a fair test of the comparative speed of models.

But to return to the Atlantic; several small steamboats accompanied her down the bay, filled with passengers, to witness her performance; one of them charged 25 cents. The J. Ramsay went with her, and performed 22¾ revolutions per minute, and 14 miles per hour; but could not keep up with her. Those on board remarked that the wake of the Atlantic was highly indicative of speed. The following, from a passenger, was brought back to us by Mr. Maguire, who left the Alantic, in a pilot boat, at the Hook:—

"ON BOARD STEAMSHIP ATLANTIC, Off Sandy Hook, April 27, 1850.

"We left the dock, to-day, punctually at noon, under highly favorable auspices; but before we had proceeded as far as Fort Hamilton, the weather became foggy, and prudence dictated that it was better to anchor awhile and await a clear sky, than to encounter any risk. This we did accordingly, and remained still till ten minutes to four o'clock, when we went ahead again, and are now steaming it most gloriously, with every prospect of making a rapid passage across the Atlantic. The passengers are in the best of spirits. The machinery moves like clockwork—it makes no noise—and I am writing this as easily and conveniently as I ever did anything on shore. You will receive this by Mr. Maguire, the pilot, who is about to leave us, having nearly finished his duty of clearing the track, and placing us safely on the bosom of the broad Atlantic.

"On coming down the river, we were saluted with cheers, by the multitude on shore, and by the ringing of bells on board of the river boats.

"The passengers are delighted with their accommodations. We have several Spanish grandees among them, who have recently left the Island of Cuba, for the mother country. They, too, are pleased with the vessel; yes, more than pleased—astonished and bewildered at the magnificence of this noble vessel; and she is a noble vessel. If she answers our expectations in point of speed, the whole nation will have good reason to rejoice. We have outstripped all creation in everything else, from making a constitution, down to a wooden nutmeg, in every pursuit, or in other words, from a cambric needle, commencing at the point, to an anchor fit for a 3,000 ton vessel. We Americans also are pleased. In fact, each of us on board, feels himself six inches, at least, taller than we ever were. If the Atlantic do not answer every expectation, it will be through accident. It is probable that the delay caused by the fog, will be the subject of discussion among the numerous parties who have made bets at the "round table," and other places. This they must settle among themselves."

Just as we got under way the Ohio, for Chagres came along. Before we were fairly started, she was a long distance ahead, say three-quarters of a mile. The Ohio has made quicker time than any other vessel in this world. We had quite an animated race, and the result was, that by the time we reached Sandy Hook, the two vessels were abreast of each other; the Atlantic thus beating the Ohio a mile between Fort Hamilton and that point. Soon we sped ahead, and, in acknowledgement of "the corn," the Ohio fired a gun to leeward. This is flog enough for the Atlantic for one day.

We copy the following from the Charleston *Courier*:

"Captain Berry informs us that the new steamship Atlantic, of Collins' line, made a trial trip on the afternoon of Saturday. When the Southerner left the wharf the Atlantic had proceeded a short distance down the bay, but courteously awaited the S., then moving off at a speed which conclusively proved her one of the fleetest steamers afloat. Her movements excited the admiration of all. She ran eight miles in twenty-eight minutes, then being two miles ahead of the Southerner. After this effort, the Atlantic fell back, and as the two boats again came in speaking distance, cheers and compliments passed, and they parted. It is the opinion of Capt. Berry that the Atlantic need not fear competition with anything on the ocean from which she takes her name."

There can be very little doubt, that with anything like good weather, the Atlantic will make, if not the quickest passage, one of the quickest ever made to England.

Lists of the passengers, both in this steamer and the Ohio, will be found under the proper head.

### Sporting Intelligence.

CENTREVILLE COURSE—TROTTING ON MONDAY.—As an inducement to the admirers of fast horses to visit the track, the proprietor of the Centreville will give a purse of $150, two mile heats, in harness, to-morrow. Four very quick horses have entered for the occasion, viz:—Trustee, Confidence, Pelham, and Virginia Maid. An exciting day's sport may be expected.

### United States Marshal's Office.

APRIL 27.—John Smith